

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A "PRIOR" PATENT**

Attorney Docket Number: **9515**

In re Application of: Selden, R. F.
Application No. 08/465,596
Filed: June 5, 1995
For: TRANSKARYOTIC IMPLANTATION

The owner*, Transkaryotic Therapies, Inc., of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,048,729, 6,054,288, 6,303,379, 6,692,737, and any patent issuing from application no. 08/461,292. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

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Signature

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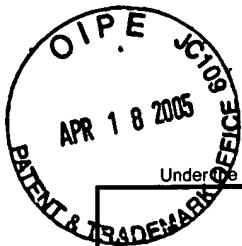
Konstantinos Andrikopoulos J.D., Ph.D., Reg. No. 48,915

Typed or Printed Name

(617) 613-4255
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner)



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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Transkaryotic Therapies, Inc.Application No./Patent No.: 08/465,596 Filed/Issue Date: June 5, 1995Entitled: TRANSKARYOTIC IMPLANTATIONTranskaryotic Therapies, Inc., a corporation

(Name of Assignee)

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 15, 2005

Date

617-613-4255

Telephone number

Konstantinos Andrikopoulos, Reg. No. 48,915

Typed or printed name

Konstantinos Andrikopoulos

Signature

Associate General Counsel

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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